

**Notice of Allowability**

Application No.

10/680,974

Examiner

Michael Vu

Applicant(s)

CROMER ET AL.

Art Unit

2683

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/10/2006.
2. ☒ The allowed claim(s) is/are 1-31.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## DETAILED ACTION

### *Allowable Subject Matter*

1. **Claims 1-31** are allowed.
2. The following is an examiner's statement of reasons for allowance:

**Claims 1 and 17** are allowed in view of Applicant's arguments and Terminal Disclaimer filed on January 10, 2006.

**Claim 1** is allowed because the closest prior art, Quinn (US 2002/0137472) fail to anticipate or render obvious that a U-NII radio in an interface within a wireless ready device designed for receiving a radio card, said U-NII radio having a radio identification (ID) parameter, wherein said interface enables said U-NII radio to be coupled to and send signals to an antenna that is embedded in the device and which has an antenna identification (ID) parameter; prior to enabling use of said U-NII radio and said antenna to complete a U-NII transmission, completing an authentication process that verifies that said U-NII radio is an authorized radio for utilization with the antenna and within the device under U-NII standards; and when said authentication process verifies that a pairing of said radio and said antenna is authorized dynamically switching a transmission mode of said device from ISM mode to U-NII mode, which mode enables U-NII communication via said pairing of said antenna and said radio, wherein a U-NII transmitter meeting an FCC "integral" requirement is enabled within the wireless-ready device having the embedded antenna, and wherein U-NII communication is not enabled if said authentication process does not verify that said radio is authorized, in combination with all other limitations in the claims as defined by applicant.

**Claim 17** is further allowed because the closest prior art, Quinn (US 2002/0137472) fail to anticipate or render obvious that wherein said authentication mechanism verifies that said radio is an authorized radio for utilization with the embedded antenna and that said radio card is authorized to operated within said device according to pre-established U-NII standards; and a device driver having U-NII transmitter activation logic that, when said verification process verifies that said radio is authorized for utilization with said antenna and said card is authorized for utilization within said device, enables U-NII transmission mode utilizing the antenna and U-NII radio combination, wherein a U-NII transmitter meeting an FCC "integral" requirement is enabled within the wireless ready device, and wherein U-NII communication is not enabled if said verification process does not verify that said radio is authorized, in combination with all other limitations in the claims as defined by applicant.

Dependent claims 2-16, and 18-31 are allowable for the same reason as set forth above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael T. Vu whose telephone number is (571) 272-8131. The examiner can normally be reached on 8:00am - 6:00pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-272-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Examiner  
Michael T. Vu

  
ELISEO RAMOS-FELICIANO 3/2/06  
PRIMARY EXAMINER